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14 **Attorneys for Plaintiff GPNE Corp.**

15 (additional counsel below)

16 **UNITED STATES DISTRICT COURT**
17 **NORTHERN DISTRICT OF CALIFORNIA**
18 **(San Jose Division)**

19 GPNE CORP.,

20 vs.

21 APPLE INC.,

22 Plaintiff,

23 Defendant.

24 Case No. 5:12-cv-02885-LHK

25 **GPNE CORP.'S NOTICE OF
WITHDRAWAL OF ITS MOTION TO
COMPEL APPLE INC.'S
DESIGNATION OF ALTERNATIVE
EMAIL CUSTODIANS AND
PRODUCTION OF RESPONSIVE
EMAILS
(DKT. NO. 123)**

26 **NOTICED HEARING:**

27 DATE: JANUARY 7, 2014

28 TIME: 10:00 A.M.

29 PLACE: COURTROOM 5, 4TH FLOOR

30 JUDGE: HON. PAUL S. GREWAL

31 **GPNE CORP.'S NOTICE OF WITHDRAWAL OF ITS MOTION TO COMPEL APPLE
32 INC.'S DESIGNATION OF ALTERNATIVE EMAIL CUSTODIANS AND PRODUCTION OF
33 RESPONSIVE EMAILS (DKT. NO. 123)**

1 Pursuant to Civil L.R. 7-7(e), Plaintiff GPNE Corp. ("GPNE") hereby gives notice to the Court
2 and all parties that it withdraws its Motion to Compel Apple Inc.'s Designation of Alternative Email
3 Custodians and Production of Responsive Emails (Dkt. No. 123). The hearing for this motion,
4 scheduled for January 7, 2014, may be removed from Magistrate Judge Grewal's calendar.

5 Respectfully submitted
6 This 5th day of December, 2013.

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CERTIFICATE OF SERVICE

I hereby certify that on December 5, 2013, I, electronically submitted the foregoing **GPNE CORP.'S NOTICE OF WITHDRAWAL OF ITS MOTION TO COMPEL APPLE INC.'S DESIGNATION OF ALTERNATIVE EMAIL CUSTODIANS AND PRODUCTION OF RESPONSIVE EMAILS (DKT. NO. 123)**, using the electronic case files system of the court. The electronic case files system sent a "Notice of Electronic Filing" to individuals who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Randall T. Garteiser
Randall T. Garteiser, Esq.